



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,741	01/22/2002	Bernard A. Traversat	5681-07300	7382

7590 03/22/2005

ROBERT C. KOWERT
CONLEY, ROSE & TAYON, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398

EXAMINER

LIEN, TAN

ART UNIT	PAPER NUMBER
----------	--------------

2141

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/055,741	Applicant(s) TRAVERSAT ET AL.	
	Examiner Tan Lien	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/04/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(e). The certified copy has been filed in provisional Application No. 60/263,573, filed on Jan. 22, 2001.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11, 14, 17, 22-32, 35, 38, 41-49, 52, 54-61, 64, and 66-68 are rejected under 35 U.S.C. 102(e) as being anticipated by Teodosiu et al. (US PGPub 2002/0062375).

Claim 1, 22, 41, 54, 66: Teodosiu teaches a peer computing system, comprising:

a plurality of peer nodes, operable to couple to a network, wherein the plurality of peer nodes are operable to participate a peer-to-peer environment on the network in accordance with one or more peer-to-peer platform protocols for enabling the plurality of peer nodes to discover each other, communicate with each other, and cooperate with each other to form peer groups and share network resources in the peer-to-peer environment (FIG. 3 and paragraph [0070-0075]); and

a resolver node operable to:

receive a query message from one of the plurality of peer nodes, wherein the query message is formatted in accordance with a peer resolver protocol (paragraph [0078]; wherein the peer resolver protocol can be “ppp” or “rns”), wherein the query message indicates a request to a resource implemented by one or more of the plurality of peer nodes (FIG. 4, ref. 410 and paragraph [0045] and paragraph [0076]);

determine a particular instance of the resource on a particular one of the one or more peer nodes (FIG. 4, ref. 420, 430 and paragraph [0046] and paragraph [0077-0078]); and

forward the query message to the determined resource instance (FIG. 4, ref. 440 and paragraph [0081]).

Claim 2, 23, 42, 55, 67: Teodosiu teaches the peer computing system as claimed, wherein

the determined resource instance is configured on the particular one of the one or more of peer nodes to send a response message in response to the query message to the peer node of the plurality of peer nodes sending the query message, wherein the response message is formatted in accordance with the peer resolver protocol (paragraph [0081]).

Claim 3, 24: Teodosiu teaches the peer computing system as claimed, wherein

the determined resource instance is configured on the particular one of the one or more peer nodes to send a response message in response to the query message to the resolver node, wherein the resolver node is operable to forward the response message to the peer node of the plurality of peer nodes sending the query, and wherein the response message is formatted in accordance with the peer resolver protocol (FIG. 3; wherein the response is going to the peer sending the query through the components of the P2P Platform or resolver).

Claim 4, 25, 43, 56, 68: Teodosiu teaches the peer computing system as claimed, wherein

the resource implemented by the one or more peer nodes is configured on each of the one or more peer nodes to:

implement one or more resource handlers (paragraph [0031]; wherein the handlers are handling the resource peer location lookup where each peer in the realm contains an unique identifier) wherein each of the one or more resource handlers is operable to:

receive the query message (FIG. 4, ref. 410 and paragraph [0045] and paragraph [0076]); and

generate a response message in response to the query message formatted in accordance with the peer resolver protocol (FIG. 3; wherein the response is going to the peer sending the query through the components of the P2P Platform or resolver); and

register the one or more resource handlers with the resolver node (paragraph [0031]).

Claim 5, 26, 44, 57: Teodosiu teaches the peer computing system as claimed, wherein the query message includes a handler name specifying one of the one or more resource handlers to generate the response message (paragraph [0029];

wherein the RNS relies on a resource naming scheme that uniquely identifies peer resources no matter where among peers the resources may be available).

Claim 6, 27, 45: Teodosiu teaches the peer computing system as claimed, wherein the response message includes a handler name specifying one of the one or more resource handlers that generated the response message (paragraph [0031] and [0036]; wherein when the locator locates the resources, the resource names which uniquely identifies the resources have to be included in order for the requesting peer to access that resource).

Claim 7, 28, 46, 59: Teodosiu teaches the peer computing system as claimed, wherein the resource is a service (paragraph [0091]; wherein the services are DNS).

Claim 8, 29, 47, 60: Teodosiu teaches the peer computing system as claimed, wherein the resource is content (paragraph [0091]; wherein the contents are carried by the HTTP).

Claim 9, 30, 48, 61: Teodosiu teaches the peer computing system as claimed, wherein the resource is an application (paragraph [0091]; wherein the application is the FTP).

Claim 10, 31: Teodosiu teaches the peer computing system as claimed, wherein

the resolver node is a peer node of the plurality of peer nodes (FIG. 3; wherein the components in the P2P platform not only serves peers with location findings and but also request peers for resources).

Claim 11, 32, 49: Teodosiu teaches the peer computing system as claimed, wherein the resolver node is operable to cache query messages and cache response messages (paragraph [0047] & [0099]).

Claim 14, 35: Teodosiu teaches the peer computing system as claimed, wherein the query message includes a query field specifying the requested information (paragraph [0045]; wherein query message must contain requested information).

Claim 17, 38: Teodosiu teaches the peer computing system as claimed, wherein the response message includes a response field comprising the information requested by the query message (paragraph [0046]; wherein if a peer request for something, the other peer responds with a requested information).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12, 15, 33, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teodosiu in view of Gilmore (US PGPub 2004/0068477).

Claim 12, 33: Teodosiu teaches the peer computing system as claimed, but fails to teach

the query message includes a credential corresponding to the peer node sending the query message, wherein the resolver node is further operable to:

determine if the peer node is authorized to access the resource using the credential of the peer node included in the query message; and
prohibit the peer node from accessing the resource if the peer node is not authorized.

Gilmore, in an analogous art, teaches performing an authorization function for the P2P resource request (paragraph [0112]). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Teodosiu's peer computing system with Gilmore's authentication function, for the well-known advantage of securing resources by authenticating peers.

Claim 15, 36: Teodosiu teaches the peer computing system as claimed, fails to teach the response message includes a credential corresponding to the particular one of the one or more peer nodes hosting the determined resource instance to which the query message was forwarded.

Gilmore, in an analogous art, teaches performing an authorization function for the P2P resource request (paragraph [0112]). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Teodosiu's peer computing system with Gilmore's authentication function, for the well-known advantage of securing resources by authenticating peers.

Claims 13, 16, 34, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teodosiu in view of London (US Patent 6,061,734).

Claim 13, 34: Teodosiu teaches the peer computing system as claimed, but fails to teach

the query message includes a query identifier for identifying the query message.

London, in an analogous art, teaches a message identifier identifying the message (col. 4 lines 35-40). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Teodosiu's peer computing system with London's message identifier to identify peer request message, for the advantage of efficiently comparing message identifiers with predetermined identifiers using bit vector (col. 3 lines 55-67 London).

Claim 16, 37: Teodosiu teaches the peer computing system as claimed, but fails to teach

the response message includes a query identifier corresponding to the query message.

London, in an analogous art, teaches a message identifier identifying the message (col. 4 lines 35-40). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Teodosiu's peer computing system with London's message identifier to identify peer request message, for the advantage of efficiently comparing message identifiers with predetermined identifiers using bit vector (col. 3 lines 55-67 London).

Claims 18-19, 39-40, 50-51, 62-63, and 69-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teodosiu in view of Jindal et al. (US Patent 6,324,580).

Claim 18, 39, 50, 62, 69: Teodosiu teaches the peer computing system as claimed, but fails to teach

the determined resource instance is a resource instance located a fewest number of hops on the network from the peer node sending the query message. Jindal, in an analogous art, teaches a load balance policy that determines the least-load server in terms of shortest response time and the closest server that can be reached in the fewest network hops. It would be obvious to one of ordinary skill in the art at the time of the invention to combine Teodosiu's peer computing system with Jindal's load balancing policy, for the advantage of

efficiently handling requests (col. 2 lines 15-45 Jindal).

Claim 19, 40, 51, 63, 70: Teodosiu teaches the peer computing system as claimed, but fails to teach

the determined resource instance is implemented on the particular one of the one or more peer nodes that has the least processing load of the one or more peer nodes.

Jindal, in an analogous art, teaches a load balance policy that determines the least-load server in terms of shortest response time and the closest server that can be reached in the fewest network hops. It would be obvious to one of ordinary skill in the art at the time of the invention to combine Teodosiu's peer computing system with Jindal's load balancing policy, for the advantage of efficiently handling requests (col. 2 lines 15-45 Jindal).

Claims 20-21, 53, 65, and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teodosiu in view of Bhagwat (US Patent 5,941,988).

Claim 20, 21, 53, 65, 71: Teodosiu teaches the peer computing system as claimed, further comprising:

a rendezvous node coupled to the network; wherein the rendezvous (FIG. 1 & 3; wherein the gate server is propagating messages to peers outside of the realm to a different set of peers) node is operable to:

receive the query message (FIG. 4, ref. 410 and paragraph [0045] and paragraph [0076]);

determine whether to propagate the query message to one or more of the plurality of peer nodes (FIG. 4, ref. 440 and paragraph [0081]; wherein if the message is not destined for peers within a realm, it forwards it to peers outside the realm); and

propagate the query message to one or more of the plurality of peer nodes if it is determined to propagate the query message to one or more of the plurality of peer nodes (FIG. 4, ref. 440 and paragraph [0081]); and

discard the query message if it is determined not to propagate the query message (FIG. 4 and paragraph [0081]; wherein if there's an return error message, it will just discard the query message).

Teodosiu, however, fails to teach

determine whether to designate the rendezvous node as the originator of the query message; and

designate the rendezvous node as the originator of the query message if it is determined to designate the rendezvous node as the originator of the query message.

Bhagwat, in an analogous art, teaches modifying the proxy headers sent by other hosts or peers so that the packet appear to originate from the proxy (col. 12 lines 40-50). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Teodosiu's peer computing system with Bhagwat's proxy node to originate packets or messages, for the advantage of efficiency by not incurring either transport or application layer protocol processing overhead (col. 2 lines 42-47 Bhagwat).

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tan Lien whose telephone number is (571) 272-3883. The examiner can normally be reached on Monday-Thursday from 8:30am to 6pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for this Group is (703) 305-3718.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [tan.lien@uspto.gov].


All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a

Art Unit: 2141

possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tan Lien
Examiner
Art Unit 2141



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER